

the community and the preservation of its peace and external morals than to the punishment of crime.

A liberal construction is therefore given to their powers, when exercised in those directions. This distinction is fully recognized by our own courts, in the well known case of the Mayor and City Council of Baltimore vs. Howard and others, 15 Md. 376. But the provisions of our Code do not leave that question, or any other I have stated open to judicial doubt. The powers and duties of the Police Board are as simple and comprehensive as language can make them. "They shall, at all times of the day and night, within the boundaries of the City of Baltimore, as well on the water as on the land, preserve the public peace, prevent crime and arrest offenders, protect the rights of persons and property, guard the public health, preserve order at primary meetings and elections, and at all public meetings and convocations, and on all public occasions and places." They are further authorized and required "to enforce all laws which may properly be enforceable by a police force," and even to follow beyond the limits of the City all persons whom they may have reason to suspect of leaving it for the purpose of committing any breach of the peace or violating any law within the State. In fulfilling this latter duty they are required "to take the most efficient means for the suppression and prevention of such outrages, when any such shall be attempted, and to cause the arrest of all such offenders." The Sheriff and all other Conservators of the peace in the City of Baltimore are placed under their control and command, whenever they think proper to assume it, and whenever, in their judgment, the public peace and tranquility may require, they are authorized to close, for the time, all drinking houses and places where liquor is sold. Powers more transcendent than these it would not be easy to confer, within the scope of preventive justice. To suggest, as a grave proposition of law, that they can, at any moment, be altogether thwarted and made nugatory at the pleasure of every individual citizen, who thinks proper to shut his door in the face of the Officers commissioned to execute them, is simply to trifle with the public intelligence.

S. J. Wallis

Baltimore, May 1st. 1868.